

\_\_\_\_\_Published in The Derby Reporter, **March 19, 2004**

ORDINANCE NO. 46-083

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF LAND IN THE CITY OF WICHITA, KANSAS, FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF **IMPROVING LOTUS, LYDIA CIR/LYDIA, LOTUS CTS & SIDEWALK, TO SERVE SHELLY'S ORCHARD ADDITION (PROJECT NO. 490-789/472-83326)**

WHEREAS, pursuant to the proceedings regularly had according to law, contracts have been let for the following improvement in the City of Wichita, Kansas: **IMPROVING LOTUS, LYDIA CIR/LYDIA, LOTUS CTS & SIDEWALK, TO SERVE SHELLY'S ORCHARD ADDITION**, and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$370,222.00** and that **\$370,222.00** be assessed against the improvement district and **\$0.00** be paid by the City at large, and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Special assessments to pay the cost of said improvement as authorized by **Resolution No. R-01-119**, adopted **March 27, 2001**, and published **March 31, 2001**, be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessment for said improvement as follows:

LEGAL OF PARCEL IN BENEFIT DISTRICT	ASSESSMENT
PAGE 1	
LOT 57	8,227.16
BLOCK 1	
SHELLY'S ORCHARD ADD.	
LOT 58	8,227.16
BLOCK 1	
SHELLY'S ORCHARD ADD.	
LOT 59	8,227.16
BLOCK 1	
SHELLY'S ORCHARD ADD.	
LOT 60	8,227.16
BLOCK 1	
SHELLY'S ORCHARD ADD.	

LOT 61 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 62 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 63 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 64 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 65 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 66 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 67 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16

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PAGE 2

LOT 68 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 69 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 70 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 71 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 72 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16

LOT 73 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 74 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 75 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 76 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 77 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 78 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16

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PAGE 3

LOT 79 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 80 BLOCK 1 SHELLY'S ORCHARD ADD.	8,227.16
LOT 1 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16
LOT 2 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16
LOT 3 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16
LOT 4 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16

LOT 5 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16
LOT 6 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16
LOT 7 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16
LOT 8 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16
LOT 11 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16

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PAGE 4

LOT 12 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16
LOT 13 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16
LOT 14 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16
LOT 15 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16
LOT 16 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16
LOT 17 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16
LOT 18 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16

LOT 19 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16
LOT 20 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.16
LOT 21 BLOCK 2 SHELLY'S ORCHARD ADD.	8,227.13
0	
0 PROJECT 472 83326	353,767.85FRACTIONAL

LEGAL OF PARCEL IN BENEFIT DISTRICT	ASSESSMENT
PAGE 1	
LOT 9 & THAT PT LOT 10 BEG NE COR SLY 80.15 FT TO SE COR W 17.67 FT NELY 84.49 FT TO N LI ELY ALG CUR 6.48 FT TO BEG BLOCK 2 SHELLY'S ORCHARD ADDITION	9,008.87
LOT 10 EXC BEG NE COR SLY 80.15 FT TO SE COR W 17.67 FT NELY 84.49 FT TO N LI ELY ALG CUR 6.48 FT TO BEG BLOCK 2 SHELLY'S ORCHARD ADDITION	7,445.28
0	
0 PROJECT 472 83326	16,454.15 SQUARE FT

SECTION 2. The amounts so levied and assessed as set forth in the foregoing Section 1 shall be due and payable from and after the date hereof at the Debt Management Section of the Finance Department. The owners of the properties will be given a period until 5:00 o'clock p.m. on **April 19, 2004**, during which the special assessments may be paid and the lien against the property for which the special assessment is paid shall thereupon be discharged and satisfied.

SECTION 3. That payment of said assessments may indefinitely be deferred against those property owners eligible for such deferral as provided in City of Wichita Ordinance No. 43-977.

SECTION 4. For any portion of the assessments which are not paid by the above specified date and time, general obligation bonds of the City, payable in installments over a period of not to exceed fifteen (15) years, will be issued as provided by K.S.A. 12-6a14 (c),

and the principal amount of the unpaid assessments, together with interest on the unpaid principal balance thereof at a rate to be determined by the Governing Body (such rate not to exceed the maximum rate allowed by K.S.A. 10-1009, as amended) will be certified to the County Clerk of Sedgwick County, Kansas, for the aforesaid number of years, and will be levied against the property liable therefor in the same form and manner as, and will be collected at such time as is customary for, the levying and collecting of ad valorem property taxes, and the taxes so collected will be used for the purpose of paying the principal of and the interest on such general obligation bonds as they mature and become due. The first such levy shall be made for the year **2004**.

SECTION 5. This ordinance shall take effect and be in force as of and on **March 19, 2004** after its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas on **March 16, 2004**.

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Carlos Mayans, Mayor

ATTEST:

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Karen Schofield, City Clerk  
(seal)

APPROVED AS TO FORM:

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Gary Rebenstorf, Director of Law